IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.9785 OF 2004

Dashrath Posha Patil, .. Petitioner

Vs

Dhanajay Chhatrapati Patil & Ors .. Respondents

Mr Anilkumar Patil, for the petitioner.

Mr R.D.Suryawanshi, for respondent no.1.

CORAM : D.B.BHOSALE,J.

DATE : 16th December, 2004.

PC:

1. Heard the learned counsel for the parties.

2. This petition is directed against the concurrent findings recorded by the authorities below in the RTS proceedings. Those proceedings were initiated by the petitioner on 30.6.1998 seeking correction of the mutation entries made in the year 1933. The Addl. Commissioner, while allowing the revision application filed by the respondents, has observed that the petitioner should approach the Civil court to get his rights in the property determined. Keeping that in view and considering the overall facts and circumstances of the case, I am satisfied that the following order will meet the ends of justice.

3. Liberty to the petitioner to approach the Civil Court for appropriate reliefs. The Civil Court will decide the suit, if filed, on merits in accordance with law. The orders passed by the revenue authorities in the instant proceedings would be subject to final outcome of the civil suit. It is open for the petitioner to seek interim order in the civil suit that would be filed by him. The writ petition is, accordingly, disposed of.

(D.B.BHOSALE, J.)